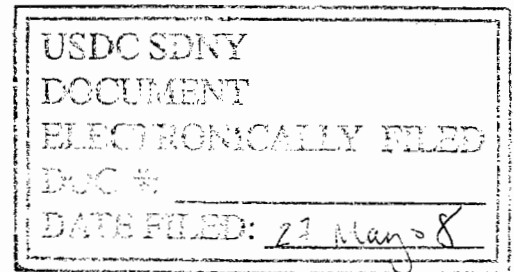


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
T.J. HARKINS



Plaintiff,

- against -

M.V. "CMA CGM ELBE," et al.

07 Civ. 8429(DAB)
ORDER TO SHOW CAUSE

Defendants.
-----X

DEBORAH A. BATTS, United States District Judge.

The Court's records indicate that the Complaint in this action was filed on September 28, 2007. To date none of the Defendants has been served. Accordingly, Plaintiff is hereby ORDERED TO SHOW CAUSE why his cause of action against Defendants should not be dismissed for failure to prosecute. See Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982) (holding that a district court's authority to dismiss an action for plaintiff's failure to prosecute "cannot seriously be doubted"). If Plaintiff fails to show cause within 20 DAYS OF THIS ORDER Plaintiff's causes of action against all Defendants SHALL BE DISMISSED for failure to prosecute. Plaintiff's showing of good cause, if any, shall be made by affidavit. SO ORDERED.

Dated: New York, New York
May 27, 2008

A handwritten signature in cursive script that reads "Deborah A. Batts".

Deborah A. Batts
United States District Judge